

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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GOOGLE LLC,

Plaintiff,

- against -

Civil Action No.: 1:21-cv-10260

DMITRY STAROVIKOV;  
ALEXANDER FILIPPOV;  
and Does 1-15,

Defendants.

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DECLARATION OF IGOR LITVAK IN SUPPORT OF DEFENDANTS' MOTION  
FOR BRIEFING SCHEDULE AND TO VACATE PRIOR ORDER

I, Igor Litvak, hereby declare and state as follows:

1. I am an attorney with the Litvak Law Firm and counsel of record for Defendants DMITRY STAROVIKOV and ALEXANDER FILIPPOV. I am a member of good standing of the bar of New York. I make this declaration in support of Defendants' motion seeking an Order approving the proposed briefing schedule concerning Defendants' anticipated Motion to vacate the entry of default under Fed. R. Civ. P. 55(c), and vacating its scheduling order dated February 1, 2022. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I was retained by Defendants on February 16, 2022, and I filed a Notice of Appearance on behalf of Dmitry Starovikov on February 16, 2022, and on behalf of Alexander Filippov on February 22, 2022. Dkt. Nos. 39, 40.

3. I personally contacted the opposing counsel Laura Harris trying to avoid unnecessary motion practice in connection with setting aside the notice of default. The parties discussed that if a resolution cannot be reached for the Plaintiff to voluntarily set aside the notice of default, the parties will consider filing a joint letter asking for a briefing schedule to parties to file motions regarding the same. Few days later the parties were not able to reach an agreement on setting aside entry of default, in addition, Plaintiff's counsel retracted the offer of filing a joint letter and related that Plaintiff is planning to proceed by filing its motion for default judgment by next Tuesday, March 1, 2022. As such, I am forced to file said motion on behalf of Defendants.

4. For the reasons stated in the accompanied Memorandum of Law, I respectfully request that this Court grant Defendants' motion for the proposed briefing schedule concerning Defendants' anticipated Motion to vacate the entry of default under Fed. R. Civ. P.

55(c). Additionally, I respectfully request that the Court vacate its scheduling order dated February 1, 2022.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 25, 2022, in Brooklyn, New York

/s/ Igor Litvak, Esq.

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